

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the use of the property as an amusement game center pursuant to the Zoning Regulations which permit a commercial recreation enterprise in a BM Zone.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, We do solemnly declare and affirm that I/we are the legal owner(s) of the property which is the subject of this Petition.

(Tenant)
Contract Purchaser: Cartana Space Port, Inc.
(Type or Print Name) Huntmak Associates, a Partnership
(Type or Print Name) Louisiana Corporation
(Type or Print Name) Signature Marc Rodstein, Vice-President
501 Marsons Mill Business Park
Address
Huntingdon Valley, Pennsylvania 19006
City and State

Attorney for Petitioner:
Raymond F. Altman
(Type or Print Name) Raymond F. Altman
Address 1230 Sun Life Building
City and State Charles Center
Baltimore, Maryland 21201
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Raymond F. Altman
Name 1230 Sun Life Building
Address Charles Center
Baltimore, Maryland 21201
Phone No. 332-1400

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of April, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of May, 1981 at 1:30 o'clock P.M.

[Signature]
Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1 (over)

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of June, 1981, that an amusement game center does not fall within the purview of a commercial recreation enterprise and, as such, the herein Petition for Special Hearing is hereby DENIED.

[Signature]
Zoning Commissioner of Baltimore County

PETITION FOR SPECIAL HEARING

8th District

ZONING: Petition for Special Hearing
LOCATION: Northeast corner of Shawan Road and McCormick Road Extension
DATE & TIME: Tuesday, May 26, 1981 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the use of the property as an amusement game center pursuant to the Zoning Regulations which permit a commercial recreation enterprise in a BM Zone.

All that parcel of land in the Eighth District of Baltimore County

Being the property of Huntmak Associates, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, May 26, 1981 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

DESCRIPTION FOR SPECIAL HEARING

The premises known as Store No. 254 having dimensions of 20 feet of frontage and 92 feet in depth for a total area of 1840 square feet and located in the upper level of the enclosed Mall in the Shopping Center known as Hunt Valley Mall located at the northeast intersection of Shawan Road and McCormick Road Extension, Baltimore County, Maryland, the entire tract comprising said Shopping Center being recorded among the Land Records of Baltimore County in Plat Book 46, Folio 27.

RE: PETITION FOR SPECIAL HEARING : BEFORE
To use property as amusement game center in a BM zone : COUNTY BOARD OF APPEALS
NE corner of Shawan Rd. and McCormick Rd. Extension, 8th District : OF
BALTIMORE COUNTY
HUNTMAK ASSOCIATES, Petitioner : No. 81-193-SPH

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner denying the petition for a special hearing. Case was heard this day "De Novo" in its entirety.

Petitioners propose to use 1840 sq. ft. of leased area in the Hunt Valley Mall for an amusement center containing approximately 60 video type machines. They presented plans indicating carpeted floors and walls, absolutely no food, beverages or smoking allowed and constant attendance of a video game technician whose duties would include not only machine repairs, but would answer questions, make change and maintain order. The question to be decided by this Board is whether an amusement center of this specific nature is or is not a commercial recreation enterprise, which is permitted use in the B.M. and B.R. business zones.

The Board is of the opinion that the operation as presented this day should be considered a commercial recreation enterprise. In order to substantiate this opinion, the Board will define what would constitute a commercial recreation enterprise. A commercial recreation enterprise must be the only business conducted on the premises and cannot encompass any retail sales (emphasis added) of food, beverages, tobacco items, etc. In no way could the operation of several video type machines as an ancillary use to a principal business be considered a commercial recreation enterprise. A commercial recreation enterprise must be manned by competent personnel, able to take care of these electronic machines and constantly police the business to prevent any possible disturbances by those persons operating or viewing the operation of these machines.

Huntmak Associates
Case No. 81-193-SPH

Under these specific conditions, an operation of a business as proposed here, would be a commercial recreation enterprise and the Board will so order. It is the opinion of this Board that the intent of Section 233.2 of the Baltimore County Zoning Regulations would be properly served by the decision in this Order.

ORDER

For reasons stated in the foregoing Opinion, it is this 22nd day of September, 1981, by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner, dated June 12, 1981, be REVERSED and that the operation as proposed be declared a commercial recreation enterprise with the restrictions and conditions here and above described being totally complied with.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hacker
William T. Hacker, Chairman

John V. Murphy
John V. Murphy

John A. Miller
John A. Miller

RE: PETITION FOR SPECIAL HEARING : IN THE
To use property as amusement game center in a BM zone : CIRCUIT COURT
NE corner of Shawan Rd. and York Road, 8th District. : FOR
BALTIMORE COUNTY
HUNTMAK ASSOCIATES, Petitioner :
AND Appellee :
v. :
Kenneth Bosley : (ADMINISTRATIVE APPEAL
Box 334 : FROM ORDER OF THE COUNTY
Cockeysville, Md. 21030 : BOARD OF APPEALS OF
BALTIMORE COUNTY
Appellant : File No. 81-193-SPH)

ORDER FOR APPEAL

Mr. Clerk:

Please enter an Appeal on behalf of Kenneth Bosley from an Order of the County Board of Appeals of Baltimore passed in the above entitled matter on the 22nd day of September 1981.

[Signature]
Kenneth Bosley
Box 334
Cockeysville, Maryland 21030
771-4316
Appellant

CERTIFICATE OF COMPLIANCE

I hereby certify that a copy of the above Order for Appeal has been delivered to the County Board of Appeals of Baltimore County in accordance with Rule B2 and Rule 306 C of the Maryland Rules of Procedure prior to the filing of the same with the Clerk of the Circuit Court for Baltimore County.

[Signature]
Kenneth Bosley

RE: PETITION FOR SPECIAL HEARING : IN THE
To use property as amusement game center in a BM zone : CIRCUIT COURT
NE corner of Shawan Road and McCormick Road Extension, 8th District : FOR
BALTIMORE COUNTY
Huntmak Associates, Petitioner :
File No. 81-193-SPH : AT LAW
Kenneth Bosley, Appellant : Misc. Docket No. 13
Folio No. 330
File No. 7680

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hacker, John V. Murphy, and John A. Miller, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Kenneth Bosley, Box 344, Cockeysville, Md. 21030, Protestant-Appellant; Cartana Space Port, Inc., 501 Marsons Mill Business Park, Huntingdon Valley, Pa., 19006, Petitioner; Huntmak Associates, c/o Kravco, Inc., 160 King of Prussia Plaza, P. O. Box 135, King of Prussia, Pa. 19406, Petitioner; Raymond F. Altman, Esq., Suite 1230, Sun Life Building, Charles Center, Baltimore, Md. 21201, Counsel for Petitioners; Richard F. Compton, Associate Director, Broadmead, 13801 York Rd., Cockeysville, Md. 21030; and Thomas J. Bollinger, Esq., Court House, Towson, Md. 21204, Assistant County Solicitor, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

[Signature]
June Holmen
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
494-3180

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts:

1. The petitioner herein seeks an interpretation of Section 233.2 of the Baltimore County Zoning Regulations to allow an amusement game center as a permitted use in a Business, B-1 (B.M.) Zone in Hunt Valley Mall, Store Number 21, containing 1,840 square feet of leased space.
2. Section 233.2, in part, reads as follows:
"Commercial recreational enterprises, including dance halls, skating rinks, and others which—in the judgment of the zoning commissioner—are similar, but excluding merry-go-rounds and freak shows, shooting galleries and penny arcades;"
3. Both the petitioner's testimony and Petitioner's Exhibit 2 indicate a unique motif in interior decor, a controlled mode of operation and security, and a business which would be an asset to the mall.
4. The only protestant appearing at the hearing owns property adjacent to the mall and based his objection on the possibility of an influx of traffic to the area.
5. The petitioner's counsel presented in his argument two Opinions rendered by the County Board of Appeals (Case Nos. 77-249-SPH and 77-250-SPH), wherein the Board stated:

"Depending upon the particulars of each proposed amusement game center, it is the judgment of the Board that if the particular proposal is limited to the existing zoning regulations can be fairly and equitably interpreted to as to treat the proposed amusement game center as a commercial recreation enterprise and, hence, allowed as a matter of right in a B.M. zone."

In continuing, the Board said:

"It is important, and the Board would wish to point out, that in making this interpretation it is not blankly finding that such amusement game centers may be deemed to be commercial recreation enterprises and allowed as a matter of right in a B.M. zone, but the Board, after carefully weighing the proposal in this particular instance, is satisfied that, subject to the restrictions which will be imposed, such an amusement game center can operate and such land use be fairly interpreted as a commercial recreation enterprise in a B.M. zone."

6. Words and Phrases, Volume 31A, defines "penny arcade" as being:
"a place where a number of machines are kept for profit, each of which, by a mechanical arrangement, exhibits pictures to a person who drops a penny into a slot. Fichtenberg v. Atlar's, 54 S.E. 937, 126 Ga. 62."
7. While the decisions of the Board of Appeals are persuasive, they are not binding, particularly in view of the definition of the term "penny arcade", which is specifically excluded as a use under the general descriptive term "commercial recreation enterprise" in a B.M. Zone.

and, therefore,

RE: PETITION FOR SPECIAL HEARING : IN THE
to use property as amusement game : CIRCUIT COURT
center in a BM zone :
NE corner of Shawan Rd. and :
McCormick Rd. Extension, :
8th District :
Huntmak Associates, Petitioner : BALTIMORE COUNTY
File No. 81-193-SPH : AT LAW
Kenneth Bosley, Appellant : Misc. Docket No. 13
Folio No. 330
File No. 7680

CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND THE BOARD
OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William T. Hackett, John V. Murphy and John A. Miller, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER
OF BALTIMORE COUNTY

No. 81-193-SPH

April 24, 1981 Petition of Huntmak Associates for special hearing for the use of the property as an amusement game center pursuant to the Zoning Regulations which permit a commercial recreation enterprise in a BM zone
" " " Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for May 26, 1981, at 1:30 p.m.
May 6, " Certificate of Posting of property - filed
May 7, " " " Publication in newspaper - filed
May 13, " Comments of Baltimore County Director of Planning - filed
May 15, " Comments of Baltimore County Zoning Plans Advisory Committee - filed

Huntmak Associates
Case No. 81-193-SPH

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Kenneth Bosley, Box 344, Cockeysville, Md. 21030, Protestor-Appellant; Cortana Space Port, Inc., 501 Masons Mill Business Park, Huntingdon Valley, Pa. 19006, Petitioners; Huntmak Associates, c/o Kravco, Inc., 160 King of Prussia Plaza, P. O. Box 135, King of Prussia, Pa. 19406, Petitioners; Raymond F. Altman, Esq., Suite 110, Sun Life Bldg., Charles Center, Baltimore, Md. 21201, Counsel for Petitioners; Richard F. Compton, Associate Director, Broadmead, 13801 York Rd., Cockeysville, Md. 21030; and Thomas J. Bollinger, Esq., Court House, Towson, Md. 21204, Assistant County Solicitor, on this 21st day of October, 1981.

June Holmen
June Holmen
County Board of Appeals of Baltimore County

Huntmak Associates
Case No. 81-193-SPH

May 26, 1981 At 1:30 p.m. hearing held on petition by Zoning Commissioner
June 12, " Order of Zoning Commissioner denying special hearing
June 19, " Order for Appeal to County Board of Appeals from Order of Zoning Commissioner
August 20, " Hearing on appeal before County Board of Appeals
September 22, " Order of County Board of Appeals ordering that the Order of the Zoning Commissioner, dated June 12, 1981, be REVERSED and that the operation as proposed be declared a commercial recreation enterprise with the restrictions and conditions here and above described being totally complied with
October 20, " Order for Appeal filed in the Circuit Court for Baltimore County by Kenneth Bosley, Protestor
October 21, " Certificate of Notice sent to all interested parties
October 30, " Petition to accompany Order for Appeal filed in the Circuit Court for Baltimore County
December 2, " Transcript of testimony filed - 1 volume
Petitioners' Exhibit No. 1 - Lease from Hunt Valley Mall
" " " 2 - Brochure outlining photos/exhibits
" " " 3 - Video tape
" " " 4 - Opinion of Bd. of Appeals, #77-249-SPH
County Exhibit No. 1 - Statement by Richard Compton, Broadmead
December 11, " Record of proceedings filed in the Circuit Ct. for Baltimore County
Record of proceedings pursuant to which said Order was entered

and said Board acted are permanent records of the Zoning Department of Baltimore County, and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations whenever directed to do so by this Court.

Respectfully submitted,

June Holmen
June Holmen
County Board of Appeals of Baltimore County

cc: T. J. Bollinger, Esq.
Kenneth Bosley
R. F. Altman, Esq.

KENNETH BOSLEY : IN THE
Box 344 : CIRCUIT COURT
Cockeysville, Maryland 21030 :
Petitioner :
vs. :
COUNTY BOARD OF APPEALS : BALTIMORE COUNTY
(Re: HUNTMAK ASSOCIATES :
Hunt Valley Mall : AT LAW
Cockeysville, Maryland 21030, : Case No. 7680
Court House, Towson, Md. 21204 : 113/330
DEFEENDANTS :
: 113/330

PETITION

The Petition of Kenneth Bosley, Appellant from the County Board of Appeals, in proper person, respectfully represents unto this Honorable Court:

1. That this is an action filed in Court from an Administrative Appeal from an Order of the County Board of Appeals of Baltimore County in the matter of a Petition for Special Hearing, No. 81-193-SPH, regarding Huntmak Associates request for a zoning change for their tenant, Cortana Space Port, Inc., Houston, Texas.
2. That the Petitioner, in this law case, Bosley, is the owner of a certain parcel of real estate and improvements thereon, known as The Thornhill Mill, located between Shawan Road and Thornton Mill Road, Eight District of Baltimore County, consisting of 36 acres of land.
3. That located several hundred feet from the Petitioner property, Huntmak Associates have requested a change of zoning on their newly acquired land, located on the North East corner of Shawan and York Road.
4. That Huntmak Associates seeks to re-classify their zoning use of part of the Hunt Valley Mall to a use as an amusement game center in a B.M. zone, (Business Major).
5. That the County Board of Appeals of Baltimore County by its Opinion and Order on September 22, 1981 reversed the Order of the Zoning Commissioner, William Hammond, Esquire, which was passed in June 12, 1981, in the above cited proceeding.

KENNETH BOSLEY * IN THE
Appellant * CIRCUIT COURT
vs. * FOR BALTIMORE COUNTY
HUNTMAK ASSOCIATES * AT LAW
and * Misc. Docket No. 13
CORTANA SPACE PORT, INC. * Folio 330, File 7680
Appellees *
* * * * *

ORDER

The proceedings under this cause were by the Court heard and considered on January 29, 1982.

It is thereupon this 16th day of February, 1982 by the Circuit Court for Baltimore County

ORDERED, that the Motion To Stay Proceeding filed in these proceedings by Kenneth Bosley is moot and said Motion To Stay Proceeding be and the same is hereby denied; and it is

FURTHER ORDERED, that the Motion To Dismiss filed herein by the Appellees relating to the failure of Kenneth Bosley to comply with Rule B12 of the Maryland Rules of Procedure be and the same is hereby granted; and it is

FURTHER ORDERED, that the Appeal filed in these proceedings by Kenneth Bosley, in proper person, be and the same is hereby dismissed; and it is

FURTHER ORDERED, that the Appellant, Kenneth Bosley, be and he is hereby ordered to pay the Court costs of this proceeding.

FILED FEB 16 1982

6. That the aforesaid Order of the Board of Appeals, dated September 22, 1981, is erroneous, illegal, and arbitrary for the following reasons:

- (a) That the Board of Appeals by its ruling will have mixed a commercial recreation use with shopping center uses and that this action is arbitrary, unreasonable, and contrary to law.
- (b) That the County Board of Appeals misinterpreted the law applicable to this zoning proceeding.
- (c) That the County Board of Appeals has attempted to rewrite and reword the Baltimore County Zoning Regulations by changing the definition of certain words therein set forth and that such acts by the County Board of Appeals are an unlawful attempt by said Board to perform legislative acts which by public law are reserved to the County Council of Baltimore County who are elected by the people of this County.
- (d) That the Opinion and subsequent Order of the County Board of Appeals is an arbitrary and capricious act on part of said Board designed to interfere with your Petitioner constitutional right to enjoy the quiet and peaceful possession of his property within the expressed provisions of the Baltimore County Zoning Regulations and within the protection of the Constitutions of the State of Maryland and the United States of America.
- (e) That the following Use Regulations only are permitted in a P.M. Zone, "Commercial recreation enterprises, including dance halls, skating rinks, and others which ----in the judgment of the Zoning Commissioner----- are similar, but excluding merry-go-rounds and freak shows, shooting galleries and penny arcades".
- (f) That the Order of the Board is not in accord with the Zoning Opinion handed down the Court of Special Appeals for this exact parcel of land, which citation is listed as Case No. 787 (1979), Stump v. The Grand Lodge of AF & AM.

WHEREFORE your Petitioner pray that this Honorable Court:

1. reverse the aforesaid Order of the County Board of Appeals, and such other and further relief that may be appropriate.

Kenneth Bosley
Kenneth Bosley
Box 344, Cockeysville, Md. 21030
771-4316

I HEREBY CERTIFY that on this 29th day of October 1981 that a copy of the above petition has been delivered to the County Board of Appeals for Baltimore County in accordance with Rule B2e prior to the filing on the same with the Clerk of this Court, and to Raymond F. Altman, Suite 1200, Sun Life Building, Charles Center, Baltimore, Maryland 21201.

Kenneth Bosley
Kenneth Bosley

HUNTMAK ASSOCIATES No. 81-193-SPH
NE corner of Shawan Rd. and
McCormick Rd. Extension 8th District
SPH-to use property as amusement game center
in a BM zone

April 24, 1981 Petition filed
June 12, " ZC DENIED special hearing
June 19, " Order for Appeal to C. B. of A. filed
Aug. 20, " Hearing held before the Bd.
Sept. 22, " Order of the Bd. ordering that the Order of the Z. C. be REVERSED and that operation as proposed be declared a commercial recreation enterprise with restrictions and conditions above complied with
Oct. 20, " Order for Appeal filed in the Cir. Ct. by Kenneth Bosley, Protestor # 7680
Dec. 11, " Record of proceedings filed in the Cir. Court
Feb. 16, 1982 Dismissed - Judge James H. Langrall
Mar. 16 Order for Appeal filed in the Court of Special Appeals by Kenneth Bosley
Nov. 18 Court of Special Appeals ORDERED "The Appellees would now be entitled to their arcade as a matter of right and the challenge raised by the appellant is, therefore, mooted." AFFIRMED JUDGE LANGRALL'S DISMISSAL FOR NOT FILING MEMORANDUM.

CASE No. 7680

RE: PETITION FOR SPECIAL HEARING
To use property as amusement
game center in a B1 zone
NE corner of Shawan Rd. and
York Road, 8th District

HUNTMARK ASSOCIATES,
Petitioner & Appellee

P.P.
Raymond F. Altman

KENNETH BOSLEY
Appellant
CORTANA SPACE PORT, INC.
RICHARD F. COMPTON, ASSOCIATE DIRECTOR

ADVANCE COSTS
Pliff's Atty 60.00
Clerk
Sheriff
Per 10/20/81 Per 10/20/81
Receipt No. 76 957

ADDITIONAL COSTS
Deft's Atty 5.00
Clerk 10/20/81
Sheriff 10/20/81

1) October 20, 1981 Appellant's Appeal from decision of County Board of Appeals fd.
(2) Oct. 22, 1981 - Certificate of Notice fd.
(3) Oct. 30, 1981 - Appellant's (Bosley) Petition fd.
(4) Nov. 16, 1981 - App. of Raymond F. Altman as atty for defts (Cortana Space and Compton) and same day Answer to Petition fd.
(5) Nov. 19, 1981 - Appellant's (Bosley) Motion for an Extension of Time to Transmit Testimony and Order of Court granting an extension of 75 days fd. (WRD)
(6) Nov. 23, 1981 - Appellees' Answer to Motion for an Extension of Time to Transmit Testimony and Request for Hearing fd.
(7) Nov. 23, 1981 - Appellees' Motion to Dismiss, Request for Hearing and Points & Authorities fd.
(8) Nov. 27, 1981- Petitioners (Kenneth Bosley) Answer to Motion to Dismiss & Request for Hearing fd.
(9) Dec. 11, 1981 Answer & Transcript of Record fd.
(10) Dec. 11, 1981 Appellees Motion to Strike Extension of Time to Transmit Testimony & to Shorten the Time for Filing Memoranda fd.
(11) Dec. 16, 1981 - (Huntmark Associates & Cortana Space Port) Appellees Order of Court fd. (EAD)
(12) Jan. 6, 1982- Correspondence fd.
(13) Jan.18, 1982 Appellant, (KENNETH BOSLEY) Motion to Stay Proceedings and Exhibit fd.
(14) Jan. 18, 1982 Appellees, (HUNTMARK ASSOCIATES & CORTANA SPACE PORT, INC.) Answer to Motion to Stay Proceedings fd.
(15) Jan. 19, 1982- Memorandum of Appellees, Cortana Space Port, Inc. and Huntmark Associates fd. (OVER)

MISCELLANEOUS DOCUMENT No. 13 PAGE 330 CASE No. 7680

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
NE corner of Shawan Rd. and
McCormick Rd. Extension,
8th District : OF BALTIMORE COUNTY

HUNTMARK ASSOCIATES, Petitioner : Case No. 81-193-SPH

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

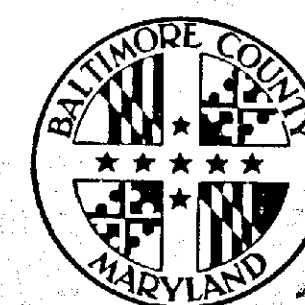
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 4th day of May, 1981, a copy of the foregoing Order was mailed to Raymond F. Altman, Esquire, Suite 1230 Sun Life Building, Charles Center, Baltimore, Maryland 21201, Attorney for Petitioner; and Marc Rodstein, Vice-President, Cortana Space Port, Inc., 501 Masons Mill Business Park, Huntington Valley, Pennsylvania 19006, Tenant.

John W. Hession, III

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN
EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
May 15, 1981

COUNTY OFFICE BLDG.
211 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Connodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Raymond F. Altman, Esquire
Charles Center, Suite 1230
Sun Life Bldg.
Baltimore, Maryland 21201

RE: Item No. 156
Petitioner - Huntmark Associates
Special Hearing Petition

Dear Mr. Altman:

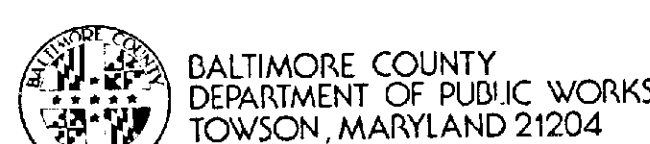
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to locate an amusement center in a B.M. zone in conflict with the current interpretation of the Zoning Commissioner, which requires a Special Exception in a B.R. zone for this use, this Special Hearing is required.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,
Nicholas B. Connodari, Esq.
NICHOLAS B. CONNODARI
Chairman
Zoning Plans Advisory Committee

NEC:bac
Enclosures



HARRY J. PISTEL, P.E.
DIRECTOR
March 24, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #156 (1980-1981)
Property Owner: Huntmark Associates
N/E corner Shawan Road and McCormick Road
Acres: 1,840 sq. ft. District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

As stated in the comments supplied for Item 79 (1980-1981), Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement 87915 executed in conjunction with the current development of Hunt Valley Mall.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 156 (1980-1981).

Very truly yours,
Robert A. Morton, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:as
cc: Jack Wimbley
Paul Koch

V-NE Key Sheet
73-75 NW 7-9 Pos. Sheets
NW 19 B & C Topo
42 Tax Map

Attachment

December 2, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #79 (1980-1981)
Property Owner: Hunt Valley Properties Corp.
N/E Shawan Rd. 535' W. of York Rd.
Acres: 106.245 Acres District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved and are secured by Public Works Agreement 87915 executed in conjunction with the current development of Hunt Valley Mall.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 79 (1980-1981).

Very truly yours,
[SIGNED] EDWARD A. MCCONOUGH
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:as

cc: J. Wimbley
P. Koch

V-NE Key Sheet
73-75 NW 7-9 Pos. Sheets
NW 19 B & C Topo
42 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERGER
DIRECTOR

May 18, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #156, Zoning Advisory Committee Meeting, March 3, 1981, are as follows:

Property Owner: Huntmark Associates
Location: NE corner Shawan Road and McCormick Road
Acres: 1840 sq. ft.
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 454-3550

STEPHEN E. COLLINS
DIRECTOR

March 16, 1981

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

With regard to ZAC Meeting of March 3, 1981, this department has no comment on items #155 thru #161.

Very truly yours,
Michael S. Flanagan
Engineer Associate II

NEF/bca

#156

CASE No. 7680 (16) Jan. 29, 1982 Appellees' Motion to Dismiss, Points & Authorities & Exhibits fd.

January 29, 1982 Hon. James H. Langrall. Hearing had. Appellees Motion to Dismiss - GRANTED by the Court.

(17) Feb. 16, 1982 Order of Court that the Motion To Stay Proceedings filed in these proceedings by Kenneth Bosley is not and said Motion to Stay Proceedings be a... the same is hereby DENIED, and it is further Ordered, that the Motion to Dismiss filed herein by the Appellees relating to the failure of Kenneth Bosley to comply with Rule E12 of the M. Rules of Procedure and the same is hereby granted and it is FURTHER ORDERED, that the Appeal filed in these proceedings by Kenneth Bosley, in proper person, be and the same if hereby dismissed; and it is that the Appellant, Kenneth Bosley do and he is hereby ordered to pay the Court Costs of this proceeding fd.

(18) March 16, 1982-Order for an Appeal to the Court of Special Appeals of Maryland fd. (Filed by Kenneth Bosley) 2/29

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

March 10, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 156, Zoning Advisory Committee Meeting of March 3, 1981, are as follows:

Property Owner: Huntmak Associates
Location: NE/Corner Shawan Road and McCormick Road
Existing Zoning: BM
Proposed Zoning: Special Hearing to approve an amusement game center for a commercial recreation enterprise in a BM zone.

Acres: 1840 sq. ft.
District: 8th

Metropolitan water and sewer are available.

If a food service facility is proposed, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, Baltimore County Department of Health for review and approval prior to construction.

Very truly yours,
Jan J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

JJP/ko

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

March 20, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Huntmak Associates

Location: NE/Corner Shawan E Road & McCormick Road

Item No.: 156

Zoning Agenda: Meeting of March 3, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be correct or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy. NOTE: Exit corridor capacity may have to be increased

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI JR.
DIRECTOR

March 4, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #156 Zoning Advisory Committee Meeting. March 3, 1981 are as follows:

Property Owner: Huntmak Associates
Location: NE/Corner Shawan Road & McCormick Road
Existing Zoning: BM
Proposed Zoning: Special Hearing to approve an amusement game center for a commercial recreation enterprise in a BM zone.

Acres: 1840 sq. ft.
District: 8th

The items checked below are applicable:

XA. All structures shall conform to the Baltimore County Building Code 1978, the State of Maryland Code for the Handicapped and Aged, and other applicable Codes.

XB. A permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/are not required.

XD. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 6" masonry firewall is required if construction is on the lot line.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 310.

I. Comments _____

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

[Signature]
Charles E. Barnham, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 25, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: March 3, 1981

RE: Item No: 155, 156, 157, 158, 159, 160, 161
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,
[Signature]
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

June 12, 1981

Raymond F. Altman, Esquire
Suite 1230, Sun Life Building
Charles Center
Baltimore, Maryland 21201

RE: Petition for Special Hearing
NE/Corner of Shawan Road and
McCormick Road Extension -
8th Election District
Hutmak Associates - Petitioner
NO. 81-193-SPH (Item No. 156)

Dear Mr. Altman:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: Mr. Kenneth Bosley
Box 344
Cockeysville, Maryland 21030

John W. Hessian, III, Esquire
People's Counsel

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204

July 30, 1981

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. 81-193-SPH

HUNTMAK ASSOCIATES

NE/C Shawan Rd. and McCormick Rd. Extension

8th District

SPH-to use property as amusement game center in a BM zone

6/12/81 - Z.C. (Wm. Hammond) DENIED petition for special hearing

ASSIGNED FOR:

THURSDAY, AUGUST 20, 1981, at 11 a.m.

cc: Mr. Kenneth Bosley

Protestant

Cortana Space Port, Inc.

Petitioners

Huntmak Associates

"

Raymond F. Altman, Esq.

Attorney for Petitioners

Richard F. Compton

Requested Notification

J. W. Hessian, Esq.

People's Counsel

Norman Gerber

J. E. Dyer

William Hammond

EXHIBITS IN BACK
OF DRAWER
June Holmen, Secy.

7/30/81 - Notified the following of hearing set for THURSDAY, AUG. 20, 1981, at 11 a.m.:

Kenneth Bosley
Raymond Altman, Esq.
J. Hessian, Esq.
J. Gerber
J. E. Dyer
Wm. Hammond
Cortana Space Port, Inc.
Huntmak Associates
Richard F. Compton

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
September 22, 1981

Raymond F. Altman, Esq.
Suite 1230, Sun Life Bldg.
Charles Center
Baltimore, Md. 21201

Re: Case No. 81-193-SPH
Huntmak Associates

Dear Mr. Altman:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

cc: Mr. Kenneth Bosley
Cortana Space Port, Inc.
Huntmak Associates
Richard F. Compton
J. W. Hession, Esq.
N. Gerber
J. Dyer
W. Hammond

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
October 21, 1981

Raymond F. Altman, Esq.
Suite 1230, Sun Life Bldg.
Charles Center
Baltimore, Md. 21201

Re: Case No. 81-193-SPH
Huntmak Associates

Dear Mr. Altman:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secy.

Encl.

cc: Cortana Space Port, Inc.
Huntmak Associates
Richard F. Compton
J. W. Hession, Esq.
N. Gerber
J. E. Dyer
W. Hammond

October 21, 1981

BILLED TO:

Kenneth Bosley
Box 344
Cockeysville, Md. 21033

Cost of certified documents filed
In Case No. 81-193-SPH \$ 20.00

Huntmak Associates
NE corner of Shawan Rd. and
McCormick Road Extension
8th District

MAKE CHECKS PAYABLE TO: Baltimore County, Md.

REMIT TO: County Board of Appeals
Rm. 200, Court House
Towson, Md. 21204

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204
October 21, 1981

Mr. Kenneth Bosley
Box 344
Cockeysville, Md. 21033

Re: Case No. 81-193-SPH
Huntmak Associates

Dear Mr. Bosley:

In accordance with Rule 8-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the hearing appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in full to the Clerk of the Circuit Court not later than thirty days from the date of any portion you might file in court, in accordance with Rule 8-7 (a).

Enclosed is a copy of the Certificate of Notice, also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

County Board of Appeals

Room 219, Court House
TOWSON, MARYLAND 21204
September 20, 1982

Mr. Julius A. Romano
Clerk of the Court of Special Appeals of Maryland
Annapolis, Maryland 21404

Re: Misc. No. 7280
Huntmak Associates

Dear Mr. Romano:

Please forward to this office a copy of the opinion in the above entitled case when it is filed by the Court of Special Appeals. We would appreciate it if you would note our request in your file on this case. Thank you.

Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 488

September Term, 1982

KENNETH BOSLEY

v.

HUNTMAK ASSOCIATES, et al.

Moylan,
Mason,
Thomas, Basil A. (Specially
Assigned)
JJ.

PER CURIAM

Filed: November 18, 1982

FILED IN
BALTIMORE COUNTY
NOV 22 9 34 AM '82
COURT CLERK
BY: E

One of the appellees herein, Huntmak Associates, owns the Hunt Valley Mall, which is a regional enclosed shopping mall in Baltimore County. It is located in the southeast corner of Cortana Space Port, Inc., leased a part of the Hunt Valley Mall premises in order to operate an amusement game center, known as an arcade. In early 1981, the appellees filed a Petition for Special Hearing in order to operate their arcade. This was in accord with the then applicable procedure in a MD Zone. On June 11, 1981, the Board of Appeals of Baltimore County, in its decision, reversed the decision of the Board of Appeals of Baltimore County to the Baltimore County Board of Appeals. The Board reversed the decision of the Zoning Commission. The appellant, Kenneth Bosley, then appealed that decision of the Board to the Circuit Court for Baltimore County. The perfecting of that appeal required, inter alia, compliance with Md. Rule 212, which provides:

"Within 30 days after being notified by the clerk of the filing of the record, the Appellant shall file a memorandum setting forth a concise statement of all issues raised on appeal and argument on each issue, including citations of legal authorities and references to pages of the transcript and exhibits relied on."

The record in that case was filed on December 11, 1981. Notice of that filing was duly mailed by the clerk to both parties, the appellees having received their notice on December 11. Despite communications from the appellees' attorney, the appellant did not file the required memorandum. Judge James M. Lannan, in the Circuit Court for Baltimore County, granted the Motion to Dismiss because of noncompliance with the mandatory provisions of

Md. Rule 212. The appellant then challenged that decision of the Circuit Court. Judge Lannan was reversed by the Board of Appeals of Baltimore County. The appellant then appealed that decision of the Board to the Circuit Court for Baltimore County. The perfecting of that appeal required, inter alia, compliance with Md. Rule 212, which provides:

"Within 30 days after being notified by the clerk of the filing of the record, the Appellant shall file a memorandum setting forth a concise statement of all issues raised on appeal and argument on each issue, including citations of legal authorities and references to pages of the transcript and exhibits relied on."

The appellant would now be entitled to their arcade as a matter of right and the challenge raised by the appellant is, therefore, mooted.

WITNESS MY HAND AND SEAL
THIS 21st DAY OF OCTOBER, 1981.

involve more than thirty to forty-five minutes.

Although I know that you have an extremely heavy docket, I respectfully request that the Appellants be given the opportunity to have a hearing as early as possible. The Appellants do not require a great deal of advance notice, and perhaps we could be given a hearing if another appeal is postponed.

Should you need any additional information or documentation, please do not hesitate to contact me at your convenience.

Sincerely yours,
Raymond F. Altman
Raymond F. Altman

RFA/jag

cc: Marc Rodstein

RECEIVED
BALTIMORE COUNTY
JUL 29 10 00 AM '81
BY: J. HAMMOND

David R. Cohan

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

81-193-SPH

District: 8th Date of Posting: July 6, 1981
Posted for: Appeals
Petitioner: Huntmark Associates
Location of property: N.E. Corner of Shawan Road & McCormick Road
Location of Signs: 1 sign N.E. Corner of Shawan Rd. & McCormick Rd.
1 sign S.W. Corner of Ed. Fish Rd. & McCormick Rd.
Remarks: Excavation work
Posted by: [Signature] Date of return: July 12, 1981
Number of Signs: 2

Raymond F. Altman, Esquire
Charles Center, Suite 1230
Sun Life Bldg.
Baltimore, Md. 21201

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 24th day of April, 1981.

[Signature]
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Huntmark Associates

Petitioner's Attorney: Raymond F. Altman, Esq. Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

Petition For Special Hearing

8th District
Zoning: Petition for Special Hearing
Location: Northeast corner of Shawan road and McCormick road
Extension
Date & Time: Tuesday, May 26, 1981 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Special Hearing under Section 800.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commission and/or Deputy Zoning Commissioner should approve the use of the property as an amusement game center pursuant to the Zoning Regulations which permit a commercial recreation enterprise in a RM Zone.
All that parcel of land in the Eighth District of Baltimore County.

The Essex Times

Essex, Md., May 7 19 81

This is to Certify, That the annexed

was inserted in The Essex Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 7th day of May, 19 81
[Signature] Publisher.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS RECEIPT
No. 85089
DATE: Dec. 11, 1981 ACCOUNT: 01.712
AMOUNT: \$20.00
RECEIVED FROM: Kenneth T. Bosley, Box 334, Cockeysville, Md. 21030
FOR: Cash No. 81-193-SPH, Huntmark Associates
8 8016*****20D01a E115F
VALIDATION OR SIGNATURE OF CASHIER

The premises known as Store No. 244 having dimensions of 20 feet of frontage and 89 feet in depth for a total area of 1,780 square feet and located in the upper level of the enclosed Mall in the Shopping Center known as Hunt Valley Mall located in the northeast intersection of Shawan road and McCormick road Extension, Baltimore County, Maryland, the entire tract comprising said Shopping Center being recorded among the Land Records of Baltimore County in Plat Book 48, Folio 27.
Being the property of Huntmark Associates, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, May 26, 1981 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
BY ORDER OF: William E. Hammond
Zoning Commissioner of Baltimore County

James Center, Suite 1230
Sun Life Bldg.
Baltimore, Md. 21201

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 24th day of April, 1981.

[Signature]
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner: Huntmark Associates

Petitioner's Attorney: Raymond F. Altman, Esq. Reviewed by: Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

CERTIFICATE OF PUBLICATION

TOWSON, MD., May 7, 19 81

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~on one time~~ of one time ~~successive weeks~~ before the 24th day of May, 19 81, the ~~xxx~~ publication appearing on the 7th day of May, 19 81.

THE JEFFERSONIAN,

Cost of Advertisement, \$ 21.00

PETITION FOR SPECIAL HEARING
8th DISTRICT
ZONING: Petition for Special Hearing
LOCATION: Northeast corner of Shawan Road and McCormick Road Extension
DATE & TIME: Tuesday, May 26, 1981 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Petition for Special Hearing under Section 800.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commission and/or Deputy Zoning Commissioner should approve the use of the property as an amusement game center pursuant to the Zoning Regulations which permit a commercial recreation enterprise in a RM Zone.
All that parcel of land in the Eighth District of Baltimore County known as Store No. 244 having dimensions of 20 feet of frontage and 89 feet in depth for a total area of 1,780 square feet and located in the upper level of the enclosed Mall in the Shopping Center known as Hunt Valley Mall located at the northeast intersection of Shawan Road and McCormick Road Extension, Baltimore County, Maryland, the entire tract comprising said Shopping Center being recorded among the Land Records of Baltimore County in Plat Book 48, Folio 27.
Being the property of Huntmark Associates, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, May 26, 1981 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
BY ORDER OF: WILLIAM E. HAMMOND
Zoning Commissioner of Baltimore County
May 7.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

81-193-SPH

District: 8th Date of Posting: May 6, 1981
Posted for: Special Hearing
Petitioner: HUNTMARK ASSOCIATES
Location of property: N.E. Corner of Shawan Road and McCormick Road Extension
Location of Signs: 1 sign N.E. Corner of Shawan Road and McCormick Road Extension
1 sign S.W. Corner of Ed. Fish Rd. & McCormick Rd. Extension
Remarks: Signs could not be posted at intersection of Fish Rd. & McCormick Rd. due to excavation work.
Posted by: [Signature] Date of return: May 11, 1981
Number of Signs: 2

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		2-30 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>[Signature]</u>	Revised Plans: Change in outline or description <u>Yes</u> <u>No</u>									
Previous case:	Map # <u> </u>									

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 17 day of Feb, 19 81.

Filing Fee \$ 25 Received: ☒ Check ☐ Cash

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 097239

DATE: April 24, 1981 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED FROM: David R. Cohan
by: Catherine M. Stiffe
FOR: file fee for case 81-193-SPH

VALIDATION OR SIGNATURE OF CASHIER

